

Town Board Minutes
(Municipal Review Committee)

Meeting
No. 19

Special Meeting

June 19, 2006

Town Board Minutes

June 19, 2006

Meeting No. 19

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 19th day of June 2006, at 6:30 PM and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
MICHAEL MYSZKA, PLANNING BOARD MEMBER
STEVEN SOCHA, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER
STANLEY KEYSA, PLANNING BOARD CHAIRMAN

ABSENT: REBECCA ANDERSON, PLANNING BOARD MEMBER
JOHN GOBER, PLANNING BOARD MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for two (2) actions.

**IN THE MATTER OF THE SEQR REVIEW OF THE
TAE KWON DO STUDIO SITE PLAN**

The Municipal Review Committee proceeded with the short Environmental Assessment Form on the Tae Kwon Do Studio site plan matter with an item for item review and discussion of the project impact and magnitude as outlined on the Short Environmental Assessment Form, entitled "Part II Environmental Assessment", which was provided to each member.

**THE FOLLOWING RESOLUTION WAS OFFERED
BY PLANNING BOARD MEMBER SOCHA
WHO MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:**

RESOLVED, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:
TAE KWON DO STUDIO SITE PLAN
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is an unlisted action through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 1.44 acres.

The location of the premises being reviewed is situate at 4901 Transit Road, County of Erie, Lancaster, New York.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found, in their item for item completion of the Short Environmental Assessment Form on this proposed action as follows:

- A. The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.4.
- B. The action will not receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6.
- C. The proposed action will not result in any adverse effects associated with the following:
(except as noted)

- C.1 Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.

No significant adverse effects noted

- C.2 Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character.

No significant adverse effects noted

- C.3 Vegetation or fauna, fish, shellfish or wildlife species significant habitats, or threatened or endangered species.

No significant adverse effects noted

- C.4 A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources.

No significant adverse effects noted

- C.5 Growth, subsequent development, or related activities likely to be induced by the proposed action.

No significant adverse effects noted

- C.6 Long term, short term, cumulative, or other effects not identified in C1-C5.

No significant adverse effects noted

- C.7 Other impacts (including changes in use of either quantity or type of energy).

No significant adverse effects noted

- D. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).
- E. There is not, nor is there likely to be, controversy related to potential adverse environmental impacts.

s/s _____
Robert H. Giza, Supervisor
Town of Lancaster

SEAL

June 19, 2006

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER GOBER	WAS ABSENT
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

June 19, 2006

**IN THE MATTER OF THE SEQR REVIEW OF THE
CROSS CREEK SUBDIVISION**

The Municipal Review Committee reopened the Environmental Assessment of the Cross Creek Subdivision matter which was tabled on August 2, 2004 due to concern regarding traffic impacts at several intersections in the project area. This evening's review specifically addressed the re-submitted Traffic Impact Study provided to the Municipal Review Committee by the project sponsor dated January 2006 and received on January 31, 2006. This Traffic Impact Study contains the accident analysis requested by the New York State Department of Transportation.

IN SUPPORT OF DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, concludes that the Traffic Impact Study has sufficiently addressed the potentially significant traffic impacts and now deems those impacts to be small to moderate and able to be mitigated by the project changes during the course of project build out.

It is further noted that the New York State Department of Transportation and Erie County Division of Highways agree that mitigative highway improvements are not immediately necessary and can be carried out during the project's build out.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AMATURA WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPNIAK, TO WIT:

RESOLVED, that the following Negative Declaration be adopted.

**NOTICE OF DETERMINATION:
CROSS CREEK SUBDIVISION
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type I action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact relative to the criteria found in 6NYCRR, Part 617.7, the lead agency now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law in accordance with 617.12.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 128± acres.

The location of the premises being reviewed is situate at Pleasant View Drive and Pavement Road, County of Erie, Lancaster, New York.

s/s _____
Robert H. Giza, Supervisor
Town of Lancaster

SEAL

June 19, 2006
and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

The question of the adoption of the foregoing Notice of Determination was duly put to a vote which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER GOBER	WAS ABSENT
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The Notice of Determination was thereupon unanimously adopted.

June 19, 2006

ADJOURNMENT:

ON MOTION OF PLANNING BOARD MEMBER SZYMANSKI AND
SECONDED BY PLANNING BOARD CHAIRMAN KEYSA FOR ADJOURNMENT OF
THE MEETING, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	WAS ABSENT
PLANNING BOARD MEMBER GOBER	WAS ABSENT
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	VOTED YES
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The meeting was adjourned at 7:54 P.M.

Signed



Johanna M. Coleman, Town Clerk

Town Board Minutes

Meeting No. 20

Regular Meeting

June 19, 2006

Town Board Minutes

June 19, 2006

Meeting No. 20

A Regular Meeting of the Town Board of the Town of Lancaster, Eric County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 19th day of June 2006 at 8:00 P.M. and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
RICHARD SHIERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
GARY STOLDT, CHIEF OF POLICE
TERRENCE McCRACKEN, GENERAL CREW CHIEF
RICHARD REESE JR., HIGHWAY SUPERINTENDENT
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

EXECUTIVE SESSION:

UPON MOTION DULY MADE BY COUNCIL MEMBER AMATURA, SECONDED BY COUNCIL MEMBER RUFFINO, to deliberate in Executive Session for the announced purpose of discussing a police personnel matter, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

At 9:24 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Beutler, Daniel, 26 Tyler Street, spoke to the Town Board on the following matters:

- position of Working Crew Chief in Highway Department
- appointment of Youth Board Member

Chowaniec, Lee, 93 Northwood Drive, spoke to the Town Board on the following matters:

- concerns about rodent control
- real property assessments and equalization rates

Cox, Marcia, 141 Aurora Street, spoke to the Town Board on the following matter:

- position of Working Crew Chief in Highway Department

Gull, Henry, 710 Pavement Road, spoke to the Town Board on the following matter:

- rodent control

Reinig, Irvine, 380 Columbia Avenue, spoke to the Town Board on the following matter:

- former Depew Public Library Building

Shanley, Judy, Executive Director Southeast Works, spoke to the Town Board on the following matter:

- former Depew Public Library Building

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Joint Meeting of the Town Board and the Planning Board held June 5, 2006 and the Regular Meeting of the Town Board held June 5, 2006 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	ABSTAINED
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2006

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
ITS ADOPTION. SECONDED BY COUNCIL
MEMBER MONTOUR. TO WIT:

WHEREAS, the Highway Superintendent, by letter date June 9, 2006, has requested the creation of one (1) position of Working Crew Chief in the Town of Lancaster Highway Department.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) to create one (1) position of Working Crew Chief in the Town of Lancaster Highway Department.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2006

File: RPERS.CRE (P5)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Executive Director of the Town of Lancaster, by letter dated June 12, 2006, has requested the appointment of a member to the Youth Board of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual is hereby appointed a member of the Town of Lancaster Youth Board for the period June 19, 2006 to May 31, 2007:

Rev. Leon Biernat
158 Laverack Avenue
Lancaster, New York

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2006

File: RPERS.BD (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, Timothy Haniszewski, d/b/a Triple T. Towing Inc., situate at 971 Ransom Road in the Town of Lancaster, has submitted an application for a Special Use Permit to allow his business vehicles and towed vehicles to be on his premises and to do registered repairs and collision work on said premises in accordance with provisions of Chapter 50-Zoning, Section 25 (B)(1) (b) of the Code of the Town of Lancaster;

WHEREAS, §50-46 of the Zoning Code of the Town of Lancaster requires that the Town Board conduct public hearings before the issuance of a special use permit for a use as proposed;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Chapter 50-Zoning, Section 25 (B) (1) (b), entitled "General Industrial District (GI)" of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit to allow his business vehicles and towed vehicles to be on his premises and to do registered repairs and collision work on said premises locally known as 971 Ransom Road in the Town of Lancaster, New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 3rd day of July 2006, 8:30 o'clock P.M., Local Time, and that Notice of the time and place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2006

File: rspecialusehaniszewskitimothy606

**LEGAL NOTICE
PUBLIC HEARING
SPECIAL USE PERMIT - TIMOTHY HANISZEWSKI
971 RANSOM ROAD**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the authority set forth in Chapter 50-Zoning, Section 25 (B) (1) (b), entitled "General Industrial District (GI)" of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 19th day of June, 2006 the said Town Board will hold a Public Hearing on the 3rd day of July, 2006, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of Timothy Haniszewski, d/b/a Triple T Towing Inc., for a Special Use Permit to allow his business vehicles and towed vehicles to be on his premises and to do registered repairs and collision work on said premises locally known as 971 Ransom Road, Town of Lancaster, County of Erie, State of New York.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**BY: JOHANNA M. COLEMAN
Town Clerk**

June 19, 2006

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPIAK, TO WIT:

WHEREAS, by letter date April 6, 2006, the Highway Superintendent requested that a piece of surplus highway equipment be sold at auction and that the proceeds of said sale be used toward the purchase of a new leaf vacuum, and

WHEREAS, by letter dated May 24, 2006, the Highway Superintendent notified the Town Board that the above-mentioned auction yielded a sale in the amount of \$29,250. and

WHEREAS, said proceeds of \$29,250 represent unanticipated revenues in the 2006 budget, and

WHEREAS, in order to utilize the unanticipated revenue, the 2006 budget needs to be amended.

NOW, THEREFORE, BE IT

RESOLVED that the following Budget Amendment be and is hereby approved to the 2006 adopted budget of the Town of Lancaster:

Highway Fund - Town Outside Villages		<u>Increase</u>
13-510	Estimated Revenues	\$29,250
13-2665	Sale of Surplus Equipment	\$29,250
13-960	Budget Appropriations	\$29,250
13-5130-210	Machinery - Equipment	\$29,250

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2006

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION. SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, it has been brought to the Town Board's attention that a circumstance exists on Running Brook Drive where a sidewalk is not installed given the fact that there was a development of lots which were not part of the subdivision after the subdivision map cover was filed and the subdivision built out, and

WHEREAS, the Town has determined that a public safety issue exists with the lack of a sidewalk along part of Running Brook Drive, and

WHEREAS, the Town Board deems it in the public interest to cause the installation of the sidewalk to assure the public safety;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes Terrence McCracken, General Crew Chief to solicit three prices for the installation of the sidewalk along Running Brook Drive where none presently exists and that the General Crew Chief, pursuant to the procurement policy of the Town of Lancaster, after determining which of the three proposals best suits the needs of the Town shall thereafter engage the services of the contractor selected to install the sidewalk along Running Brook Drive.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2006

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPNIAK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from
their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Director
of Administration and Finance, to wit:

Claim No. 2620 to Claim No. 2928 Inclusive

Total amount hereby authorized to be paid: \$346,882.65

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2006

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby
reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are
waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

13773	Kaz Brothers Const.	6407 Genesee St	Er. Deck	
13774	Doclman, Daniel	9 Fox Trace	Er. Fence	
13775	Rich Pools	21 Stream View Ln	Er. Pool-Abv Grnd	
13776	Duro-Shed Inc	15 Avian Way	Er. Shed	
13777	Creative Fence Co	9 Huntley Pl	Er. Fence	(V/L)
13778	Duro-Shed Inc	21 Trentwood Trl	Er. Shed	
13779	Sebastiano, Joseph	218 Enchanted Forest	Er. Shed	
13780	Leisurewood Design	92 Kennedy Ct	Er. Deck	
13781	Lancaster Home Impr.	73 Cotton St	Er. Deck	(V/L)
13782	Forbes-Capretto Homes	10 Muirfield Ln	Er. Dwlg.-Sin.	
13783 SW	Cappello, John	185 Peppermint Rd	Er. Dwlg.-Sin.	
13784	Duro-Shed Inc	2 Whitestone Ln	Er. Shed	
13785	Leisurewood Design	19 Redlein Dr	Er. Deck	
13786	Duro-Shed Inc	9 Sussex Ln	Er. Shed	
13787	Surdej, Shane	64 Country Pl	Er. Pool-Abv Grnd	
13788	Rich Pools Inc	14 Idlebrook Ct	Er. Pool-Abv Grnd	
13789	Majestic Pools Inc	55 Michael Anthony	Er. Pool-In Grnd	
13790	Majestic Pools Inc	55 Michael Anthony	Er. Fence	
13791	Jes Operations Inc	22 Stony Brook Dr	Er. Pool-In Grnd	
13792	Jes Operations Inc	22 Stony Brook Dr	Er. Fence	
13793	Slivan Pool & Const	36 Old Post Rd	Er. Pool-Abv Grnd	
13794	Picket Fence	20 Chestnut Corner	Er. Fence	
13795	Barber, Thomas	431 Erie St	Dem. Bldg	
13796	Townsend, Sean	27 Quail Hollow	Er. Deck	
13797	Natural Environment	5687 Broadway	Remove Tank	
13798	KCM Custom Garage	194 Peppermint Rd	Er. Garage	
13799	Duro-Shed Inc	18 Inwood Pl	Er. Shed	(V/L)
13800	Marrano/Marc Equity	23 Red Clover Ln	Er. Dwlg.-Sin.	
13801	Marrano/Marc Equity	16 Chicory Ln	Er. Dwlg.-Sin.	
13802	Marrano/Marc Equity	18 Chicory Ln	Er. Dwlg.-Sin.	
13803	Majestic Pools Inc	16 Windcroft Ln	Er. Pool-In Grnd	

13804	Otto, Edward	16 Windcroft Ln	Er. Fence	
13805	Majestic Pools Inc	24 Beatrix Cir	Er. Pool-In Grnd	
13806	Creative Fence	24 Beatrix Cir	Er. Fence	
13807	Schafer Masonary	34 Court St	Repl. Front Porch	(V/L)
13808	Hameister, Mary	93 Aurora St	Er. Fence	(V/L)
13809	HD Unlimited Inc	145 William Kidder	Er. Pool-Abv Grnd	
13810	Marki, Heidi	87 Stony Rd	Er. Pool-Abv Grnd	
13811	Cognion, William	1 Chestnut Corner	Er. Fence	
13812	Ward, Kim	4 Katelyn Ln	Er. Shed	
13813	Baran, Keith	105 Pavement Rd	Er. Pool-Abv Grnd	
13814	Zehler, William	50 Main St	Er. Shed	
13815	Ring, Christine	58 Schlemmer Rd	Er. Res. Add.	
13816	Topol, Amy	624 Pleasant View Dr	Er. Fence	
13817	Heritage Fence Co	642 Aurora St	Er. Fence	
13818	Atkinson, Peter	7 Fox Hunt Rd	Er. Shed	
13819	Stuber, Larry	5 Rue Madeleine Way	Er. Shed	
13820	Brierwood Child Care	4920 William St	Er. Sign-Temp	
13821	H-D Unlimited Inc	5074 William St	Er. Pool-Abv Grnd	
13822	Specialty Woodcraft	1262 Penora St	Er. Deck	
13823	Glamour Pools	13 Quail Run Ln	Er. Fence	
13824	Glamour Pools	13 Quail Run Ln	Er. Pool-In Grnd	
13825	Laskowski, Robert	17 Winding Way	Er. Pool-Abv Grnd	
13826	Economy Tree Service	429 Pleasant View Dr	Dem. Dwlg.	
13827	Baldauff, Robert	1 Buckingham Ct	Er. Deck	
13828	Marrano/Mark Equity	33 Chicory Ln	Er. Dwlg.-Sin.	
13829	Forbes-Capretto Homes	18 Sawgrass Ln	Er. Dwlg.-Sin.	
13830	Zeisz, Kent	1723 Como Park Blvd	Er. Deck	
13831	Schaefer, Peter	15 Farmview Ct	Er. Pool-Abv Grnd	
13832	Nichter, Robert	74 Church St	Er. Deck	(V/L)
13833	Endres, Christopher	12 Hidden Trl	Er. Fence	
13834	Gary Pools	26 Camner Ave	Er. Pool-Abv Grnd	(V/L)
13835	Iroquois Fence Inc	13 Stone Hedge Dr	Er. Fence	
13836	Gary Pools	226 Nathan's Trl	Er. Pool-Abv Grnd	
13837	Iroquois Fence Inc	18 Chestnut Corner	Er. Fence	
13838	Schweitzer, James	194 Peppermint Rd	Er. Pool-Abv Grnd	
13839	Gary Pool	56 Village View	Er. Pool-Abv Grnd	
13840	Grassi, Rob	13 Ashwood Ct	Er. Shed	
13841	Palumbo, Frank	9 Whitestone Ln	Er. Pool-Abv Grnd	
13842	Patti, Jason	6 Huntley Pl	Er. Deck	(V/L)
13843	Duro-Shed Inc	11 Oakwood Comm	Er. Shed	
13844	KML Fence	63 Michael Anthony	Er. Fence	
13845	Madej, Brian	13 Ann Marie Dr	Er. Deck	
13846	Genesee-Transit Ped	4845 Transit Rd	Er. Sign-Temp	
13847	Complete Home Impr	3 Northbrook Ct	Er. Res. Add.	

13848	Gordon, Anthony	2 Parkedge Dr	Er. Fence
13849	Gordon, Anthony	2 Parkedge Dr	Er. Deck
13850	Duro-Shed Inc	23 Pinetree Dr	Er. Shed

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2006

File: Rbldg2

SUSPENDED RESOLUTIONS:

Supervisor Giza requested a suspension of the necessary rules for immediate consideration of the following resolutions:

Council Member Stempniak moved to suspend the necessary rules for immediate consideration of the following resolutions, seconded by Council Member Montour, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK WHO
MOVED ITS ADOPTION. SECONDED BY
COUNCIL MEMBER RUFFINO. TO WIT:

WHEREAS, Master Sun Ki Chong, d/b/a Tae Kwon Do Studio, 4901 Transit Road, Lancaster, New York 14086, has submitted a Site Plan prepared by Mussachio Architects, dated May 1, 2006, revised June 15, 2006 and received June 19, 2006 for the proposed construction of a 11,200 square foot Tae Kwon Do Studio to be located at 4901 Transit Road in the Town of Lancaster, and

WHEREAS, the Planning Board has reviewed the plan and at its meeting May 17, 2006 has recommended approval of this project, and

WHEREAS, a SEQR Review of this project was held June 19, 2006 and a negative declaration was issued at that time;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the Site Plan submitted by Master Sun Ki Chong, d/b/a Tae Kwon Do Studio and prepared by Mussachio Architects, dated May 1, 2006, revised June 15, 2006 and received June 19, 2006 for the proposed construction of a 11,200 square foot Tae Kwon Do Studio to be located at 4901 Transit Road in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2006

File: rsplackwondostudio606

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED
ITS ADOPTION. SECONDED BY COUNCIL
MEMBER AMATURA, TO WIT:

WHEREAS, DANIEL LATELLO, 33 Brunck Road, Lancaster, New York is presently
an employee of the Town of Lancaster Highway Department in the position of Light Motor Equipment
Operator, and

WHEREAS, the Highway Superintendent, by letter dated June 19, 2006, has
recommended the appointment of **DANIEL LATELLO**, 33 Brunck Road, Lancaster, New York to the
position of Working Crew Chief in the Highway Department.

**NOW, THEREFORE, BE IT
RESOLVED**, that

1. **DANIEL LATELLO**, 33 Brunck Road, Lancaster, New York is hereby
appointed to the position of Working Crew Chief in the Highway
Department of the Town of Lancaster.
2. That this appointment is effective July 3, 2006 with full benefits.
3. The rate of pay for this position is \$28.26 per hour, as established in the
current CSEA White Collar contract and as set forth in the 2006 Schedule
of Salaries adopted by the Town Board on January 3, 2006.
4. The Supervisor of the Town of Lancaster take the necessary action with the
Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the following resolution was duly put to a vote
on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

June 19, 2006

FILE: RPERS APP (P3)

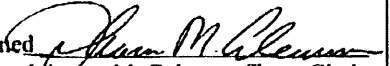
COMMUNICATIONS & REPORTS:

327. Highway Superintendent to Planning Board Chairman -
Notice of approval of revised site plan for proposed Larkspur East Patio Homes Subdivision. DISPOSITION = Planning Committee
328. General Crew Chief to Planning Board, Council Members Montour, Ruffino, & Stempniak -
Notice of reserved judgement of sketch plans for proposed Wainwright Court Subdivision and Woodlands at Pleasant Meadows Subdivision due to lack of landscape plans. DISPOSITION = Planning Committee
329. NYS Office of Cyber Security & Critical Infrastructure Coordination to Town Board -
Notice of 2006 NYS Cyber Security Conference to be held June 14 - 15, 2006 in Albany. DISPOSITION = Received & Filed
330. Town Clerk to Town Board -
Transmittal of monthly report for May 2006. DISPOSITION = Received & Filed
331. Erie County Department of Health to Supervisor -
Notice of approval of plans for installation of water lines at Larkspur East Patio Homes Subdivision. DISPOSITION = Resolution 6/5/06
332. Greenman-Pederson, Inc. to Town Attorney -
Correspondence regarding the storm water runoff at Larkspur East Patio Homes. DISPOSITION = Resolution 6/5/06
333. Erie County Water Authority to Supervisor -
Letter of introduction of Thomas Wik as Municipal Liaison. DISPOSITION = Received & Filed
334. Timothy M. Domino to Supervisor -
Notice of intended retirement. DISPOSITION = Received & Filed
335. Wm. Schutt & Associates, P.C. to Massachio Architects -
Comments and request for further information regarding site plan for proposed Master Chong Tae Kwon Do, Transit Road. DISPOSITION = Resolution 6/19/06
336. Erie County Department of Public Works, Division of Highways to Town Attorney -
Comments regarding wet land mitigation for proposed Windsor Ridge South Subdivision. DISPOSITION = Planning Committee
337. Town Clerk to Town Board -
Transmittal of Special Use Permit Application, Timothy Haniszewski, 971 Ransom Road. DISPOSITION = Resolution 6/19/06
338. Highway Superintendent to Town Board -
Request resolution to create additional position of Working Crew Chief. DISPOSITION = Resolution 6/19/06
339. Town Attorney to Town Board, Planning Board -
Notice of SEQR meeting to be held Monday, June 19, 2006, 6:30 PM to re-open review of proposed Cross Creek Subdivision. DISPOSITION = Received & Filed
340. Town Clerk to Various News Media -
Notice of SEQR meeting to be held Monday, June 19, 2006, 6:30 PM to re-open review of proposed Cross Creek Subdivision. DISPOSITION = Received & Filed
341. Planning Board Chairman to Planning Board, Town Board, Engineering Consultant, Deputy Town Attorney, Highway Superintendent, Building Inspector -
Draft copy of minutes of meeting held June 7, 2006. DISPOSITION = Received & Filed
342. Planning Board to Town Board -
Recommend approval of Preliminary Plan for Pleasant Meadows Subdivision III, s/s of Pleasant View Drive, conditions noted. DISPOSITION = Planning Committee

343. Planning Board to Town Board -
Recommend approval of Sketch Plan for proposed Wainwright Court Subdivision, w.s. of N. Maple Drive, south of Wehrle Drive; conditions noted. DISPOSITION = Planning Committee
344. Charles J. Mauer to Supervisor -
Letter commending the Assessor's Office for assisting residents. DISPOSITION = Received & Filed
345. Association of Erie County Governments to Town Board -
Notice of meeting to be held Thursday, June 22, 2006, 6:30 PM in Brant, N.Y. DISPOSITION = Received & Filed
346. Executive Director, Youth Bureau to Youth Bureau Staff -
Letter of appreciation for presentation of program information during visit by NYS Office of Children and Family Services. DISPOSITION = Received & Filed
347. Town of Elma to Town Board -
Transmittal of adopted resolution opposing Erie County Legislature's Four Year Plan for Erie County. DISPOSITION = For Resolution
348. David L. Ostrom to Supervisor -
Request for removal of "No Parking Vehicles Over 6 Tons" signs on Transit Boulevard. DISPOSITION = Received & Filed
349. Mark & Amber Zych to Supervisor -
Letter of appreciation to Council Member Dan Amatura, Highway Department, and Town Engineer for assistance in alleviating water problem in resident's basement. DISPOSITION = Received & Filed
350. Erie County Department of Health to Supervisor -
Notice of approval of plans for installation of water lines at Nicholas Heights Subdivision. DISPOSITION = Planning Committee
351. NYS State Board of Real Property Services to Supervisor -
Transmittal of Notice of Tentative State Equalization Rate for the 2006 Assessment Roll. DISPOSITION = Received & Filed
352. Elizabeth C. Melock to Supervisor -
Letter regarding possible sale of property at 321 Columbia Avenue. DISPOSITION = Received & Filed
353. Irvine G. Reinig II to Supervisor -
Letter regarding possible sale of property at 321 Columbia Avenue. DISPOSITION = Received & Filed
354. Executive Director, Youth Bureau to Supervisor -
Request appointment of Rev. Leon Biernat to Youth Board. DISPOSITION = Resolution 6/19/06
355. New York State Environmental Facilities Corporation to Town Board -
Notification of amendments to Clean Water State Revolving Fund Regulations. DISPOSITION = Received & Filed
356. Town Attorney to Town Board, Planning Board -
Notice of addition to SEQR meeting to be held Monday, June 19, 2006, 6:30 PM, namely proposed Tac Kwon Do. DISPOSITION = Received & Filed
357. TVGA Consultants to Town Clerk -
Notice of availability of the DEIS for public review and notice of public hearing to be held July 11, 2006 at Akron Central School regarding Williamsville Toll Barrier Improvement Project. DISPOSITION = Received & Filed
358. Hopkins, Garas & Sorgi, PLLC to Municipal Review Committee -
Transmittal of comments for use in SEQR Determination for Cross Creek Subdivision, Pleasant View Drive and Pavement Road. DISPOSITION = Planning Committee

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER MONTOUR AND CARRIED, the meeting was adjourned at 9:24 P.M. in memory of Lawrence Blair, Rita Flejtuch and Tcofilo Moreno.

Signed 
Johanna M. Coleman, Town Clerk